

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

BARTHOLOMEW B. JONES,

Plaintiff,

vs.

**MENAGE A' TROIS, DOWN LOW
MODELS AND PUBLICATIONS,**

Defendants.

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5:05-CV-169 (CAR)

***ORDER ON THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE***

Before the Court is the United States Magistrate Judge's Recommendation [Tab 4] that the present case be dismissed for Plaintiff's failure to state a claim upon which relief may be granted. Plaintiff filed an Objection [Tab 6] to the Recommendation. However, having considered the matter, this Court agrees with the findings and conclusions of the United States Magistrate Judge. The Recommendation of the United States Magistrate Judge is therefore **ADOPTED** and **MADE THE ORDER OF THE COURT**; the present case is hereby **DISMISSED** without prejudice.

SO ORDERED this 19th day of July, 2005.

s/ C. Ashley Royal
C. ASHLEY ROYAL
UNITED STATES DISTRICT JUDGE

JLR